

It is, therefore, **ORDERED** that the *Markman* Memorandum Opinion and Order is modified in the following ways:

1. “Obligation” shall be construed as: “an amount owed by the merchant that is independent of any particular purchase and outside of any of the fees and/or costs normally imposed on the merchant for a typical processing transaction.”
2. “Third Party” shall be construed as: “party other than the merchant.”
3. The Court finds that no structure is disclosed for the claimed functions of “forwarding a portion of the payment to the third party” (Claim 10), “forwarding at least a portion of the accumulated payments to the third party” (Claim 17), “periodically forwarding at least a portion of the payment to the third party” (Claim 18), or “forwarding to the third party an amount that is a percentage of the obligation” (Claim 19).